

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

Cr. No. 05-10164 GAO

GUILLERMO F. VASCO

**OPPOSITION TO GOVERNMENT MOTION TO ALLOW JURORS
TO READ TRANSCRIPTS BEFORE REVIEWING VIDEOTAPES**

Now comes the defendant, Guillermo Vasco, by court appointed counsel, and submits this Opposition and Objection to the above government Motion. The defendant requests this Honorable Court order that the videotapes, if admissible, be played prior to the distribution of the transcripts. As reasons therefore, the defendant states the following:

1. The video and audio tapes to be played for the jury are in English, and are intelligible when listening or watching.
2. The context and communication in the video and audio is such that the actual tape leaves a far different impression than the written transcript, and providing the jurors with the transcript before they view or hear the tape is extremely prejudicial to the defendant.
3. The effect of giving the jury the transcripts prior to their viewing or listening to the tapes is to substitute the transcript for the evidence in the matter, the actual tapes, even despite any curative instruction by the Court.
4. The defendant further objects to any of the transcripts being allowed into the jury room during deliberations.

WHEREFORE, for the reasons set forth above, the defendant requests that this Court preclude the Government from publishing transcripts of the tapes prior to their being played.

Respectfully Submitted,
By his Court-Appointed Attorney,

/s/ MELVIN NORRIS
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November 3, 2006

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document filed this date through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent this date to those indicated as non-registered participants.

/s/ Melvin Norris
MELVIN NORRIS